

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ANNA BROWN,)	
)	
Plaintiff,)	
)	
vs.)	No. 4:10CV1543-AGF
)	
MISSOURI SPORTSERVICE, LLC,)	
)	
Defendant.)	

ORDER

Now before the Court is pro se plaintiff Anna Brown's memorandum for clerk [Doc. #24], wherein plaintiff requests a hearing regarding the Court's January 28, 2011, order and judgment. Although not styled as such, it appears that plaintiff intends to bring a motion to alter or amend judgment pursuant to Rule 59(e) of the Federal Rules of Civil Procedure. Defendant Missouri Sportservice, LLC has not responded to plaintiff's filing, and the time to do so has expired.

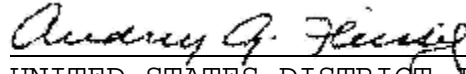
Rule 59 motions "cannot be used to introduce new evidence, tender new legal theories, or raise arguments that could have been offered or raised prior to entry of judgment." Parton v. White, 203 F.3d 552, 556 (8th Cir. 2000); see also K.C.1986 Ltd. P'ship v. Reade Mfg., 472 F.3d 1009, 1016 (8th Cir. 2007). Instead, Rule 59(e) motions "serve the limited function" of correcting manifest errors of law or fact or to present newly

discovered evidence. United States v. Metro. St. Louis Sewer Dist., 440 F.3d 930, 933 (8th Cir. 2006).

The Court has reviewed plaintiff's filing and the record, and finds no manifest error of law or fact. Further, the Court has not been presented with newly discovered evidence that would support a Rule 59 motion. Accordingly,

IT IS HEREBY ORDERED that pro se plaintiff Anna Brown's memorandum for clerk [Doc. #24] is construed as a motion to alter and amend judgment pursuant to Rule 59(e), and such a motion is denied.

Dated this 15th day of March, 2011.


UNITED STATES DISTRICT JUDGE